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UNITED STATES DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

PATENT

In the application:

Application Number: 09/912,223

Inventor: HE, Ting

Filed: July 24, 2002

For: SUBSTRATES WITH SMALL PARTICLE SIZE METAL OXIDE AND NOBLE METAL CATALYST COATINGS AND THERMAL SPRAYING METHODS FOR PRODUCING THE SAME

Group Art Unit: 1754

Examiner: Cam N. Nguyen

Atty. Docket No.: 3994994-131915-2

BY USPS EXPRESS MAIL RECEIPT No. EV 227292991US ON SEPTEMBER 1, 2005

Mail Stop: Issue Fee
Commissioner of Patents
P.O. Box 1450
Alexandria VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
[37 CFR 1.181]

To the Honorable Commissioner:

Applicant herewith responds to the Notice of Abandonment mailed on August 22, 2005.

1. Applicant, by its undersigned counsel, having personal knowledge of the facts, petitions that the holding of abandonment be withdrawn because the application is not in fact abandoned. A proper reply to the notice of allowance mailed on March 11,

2005 was filed by facsimile transmission to the United States Patent and Trademark Office on March 18, 2005.

2. A copy of applicant's response, sent by facsimile, [3 pages] to the notice of allowance mailed on March 11, 2005, including Form PTOL-85 authorizing payment of the issue fee and the publication fee, is attached hereto as Exhibit A.

3. Before a facsimile transmission is allowed to be sent from applicant's attorney's office, the relevant client/matter number and an attorney identification must be entered by keypad into the facsimile machine. The information entered is simultaneously transmitted to the firm's master data base which authorizes use of the facsimile machine based on the input criteria. After the facsimile machine receives authorization from the data base, transmission of the facsimile is allowed. The data base monitors utilization of the facsimile machine, and a record of the facsimile information as sent is preserved in the firm's master data base associated with the client, the matter and the attorney transmitting the facsimile.

4. In the instance of the present application, the firm's client/matter number, 3994994-131915, corresponds to the Attorney's Docket No. 3994994-131915-2 used in correspondence with the USPTO regarding the present application. Undersigned counsel's firm identification number is 23.

5. Confirmation of the transmission by facsimile of the March 18, 2005 response to the notice of allowance is verified by records of facsimile charges maintained by applicant's attorney's firm's master data base in the regular course of business.

6. A copy of the relevant record showing facsimile charges incurred by undersigned counsel, "E. Baranowski (0023)", on March 18, 2005 in the account of the assignee of the application, client/matter number 3994994-131915, is attached hereto as

Exhibit B. [Billing and accounting information relating to the assignee, other than items showing proof of transmission, is attorney/client privileged and/or confidential business information and is deleted from Exhibit B.]

7. Exhibit B, relating to client/matter 3994994-131915 shows the items relating to the facsimile transmission of March 18, 2005 and replenishment of applicant's firm's Deposit Account in the amount of the fee authorized by Exhibit A:

| <u>Name</u> | <u>Date</u> | <u>Base Amt</u> | <u>To Bill Amt</u> | <u>Description of Disbursement</u> |
|-------------------------|-------------|-----------------|--------------------|---|
| E. Baranowski (0023) | 03/18/05 | 1.85 | 1.85 | 002 Facsimile Line Charge: 17037464000 |
| E. Baranowski (0023) | 03/18/05 | 0.54 | 0.54 | 003 Facsimile Charges-Qty=3 |
| E. Baranowski (0023) | 03/22/05 | 1700.00 | 1700.00 | Patent Work (Director of the USPTO) – Invoice Number: 09/912223 |

8. The indication of "Qty=3" [pages] in Exhibit B corresponds to the number of pages transmitted, namely, "Facsimile Line Charge" on March 18, 2005 to 1-703-746-4000. 703-746-4000 is the number provided on Form PTOL-85 for submission of the issue and publication fee transmittal.

9. The entry for \$1700.00 for a disbursement identified as "Patent Work (Director of the USPTO) – Invoice Number: 09/912223" corresponds to the replenishment of the firm's Deposit Account for the payment of a fee of \$1700.00 in Serial Number 09/912,223. Serial Number 09/912,223 is the present application and \$1700.00 is the amount of the fee payment required by Form PTOL-85 and authorized by Exhibit A.

10. A Certificate of Transmission by Facsimile of Form PTOL-85 to facsimile number 703/746-4000 appears at the cover sheet of Exhibit A and is signed by applicant's undersigned attorney and is dated March 18, 2005.

11. Form PTOL-85 and the Certificate of Transmission to facsimile number 703-746-4000 appearing on Form PTOL-85 of Exhibit A are both signed by applicant's undersigned attorney and are dated March 18, 2005.

12. Based on my personal knowledge, I have no doubt that I prepared, and that on March 18, 2005, I signed the cover page of Exhibit A and Form PTOL-85 of Exhibit

A and transmitted Exhibit A by facsimile to 703-746-4000 as applicant's response to the notice of allowance mailed on March 11, 2005.

13. Based on my personal knowledge of records of activities and charges maintained by my firm in the regular course of business, as shown in Exhibit B, there should be no doubt that Exhibit A was in fact transmitted by facsimile to 703-746-4000 on March 18, 2005.

14. The application is not in fact abandoned.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



Date: September 1, 2005

Edwin M. Baranowski, Reg. No. 27,482

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CERTIFICATE OF FILING BY EXPRESS MAIL

I certify that the foregoing **PETITION TO WITHDRAW HOLDING OF ABANDONMENT** accompanied by Exhibit A [3 pages] and Exhibit B [1 page] is being deposited in an envelope with the United States Postal Service with sufficient postage for Express Mail "Post Office to Addressee", Receipt Number EV 227292991 US, addressed to Mail Stop

Serial Number 09/912,223 - filed July 24, 2002

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

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Issue Fee, Commissioner of Patents, P.O. Box 1450, Alexandria VA 22313-1450 on September 1, 2005.



Edwin M. Baranowski

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